

REMARKS

Claims 1-4, 7-9, and 12-23 are pending in the present application. Claims 12-23 have been added. Claims 5-6 and 10-11 have been cancelled without prejudice or disclaimer to the subject matter contained therein.

A. Objection to the Drawings under 37 C.F.R. 1.81(c)

The Examiner alleges that the subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention, and thus requires a drawing under 37 C.F.R. 1.81(c). This objection is respectfully traversed.

37 C.F.R. 1.81(c) states:

Whenever the nature of the subject matter sought to be patented admits of illustration by a drawing **without its being necessary for the understanding of the subject matter** and the applicant has not furnished such a drawing, the examiner will require its submission within a time period of not less than two months from the date of the sending of a notice thereof. [Emphasis Added.]

As demonstrated above, 37 C.F.R. 1.81(c) requires that if the application admits an illustration by a drawing and that the drawing is **NOT** necessary for the understanding of the subject matter, the Examiner may require submission of such a drawing. However, the reason the Examiner gives for requiring a drawing is that the drawing is needed to understand the invention. Thus, the Examiner's objection under 37 C.F.R. 1.81(c) is meritless and without foundation because the Examiner's very reason for asserting the objection is antithetical to 37 C.F.R. 1.81(c).

Moreover, the presently claimed invention is directed to a method. **MPEP** §608.02 states that a drawing is not required for a filing date under 35 U.S.C. §111 and 35 U.S.C. §113 if the application contains a process claim including the term "process" or "method" in its introductory phrase. Therefore, it is respectfully submitted that a drawing is not needed to understand the present invention.

In summary, the Examiner's objection under 37 C.F.R. 1.81(c) is meritless and without foundation because the Examiner's very reason for asserting the objection is

antithetical to 37 C.F.R. 1.81(c). Moreover, since the presently claimed invention is a process or method, a drawing is unnecessary to understand the present invention.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw the objection to the drawings.

B. Rejection under 35 U.S.C. §101

Claims 1-11 have been rejected under 35 U.S.C. §101 for merely solving a mathematical problem without any practical application. This rejection under 35 U.S.C. §101, of claims 1-11 and as it also may apply to newly added claims 12-23, is respectfully traversed.

In formulating the rejection under 35 U.S.C. §101, the Examiner alleges that the claims merely solve a mathematical problem. This position by the Examiner is respectfully traversed in view of the above amendments.

The presently claimed invention, as set forth in amended independent claim 1, is directed to a method for squeezing chroma values (C_{in}) of a digital image toward a preferred chroma value (C_{pref}) for the digital image. The method receives a digital image file, the digital image file including a plurality of pixels of color image data, each pixel of color image data being defined by a hue value, a chroma value, and a lightness value; selects a chroma value (C_{in}) from the digital image file; selects a preferred chroma value (C_{pref}); calculates chroma change value ($\Delta C = C_{in} - C_{pref}$); calculates a chroma weight value (C_{WEIGHT}), a hue weight value (H_{weight}), and a lightness weight value (L_{weight}); calculates a chroma adjustment value ($C_{Adjust} = \Delta C * (H_{weight} * C_{weight} * L_{weight})$); calculates a destination chroma value ($C_{out} = C_{in} - C_{Adjust}$); repeats, for each chroma value in the digital image file, the selecting of the chroma value from the digital image file, the calculating of the chroma change value, the calculating of the chroma adjustment value, and calculating of the destination chroma value; and replaces each chroma value in the digital image file the associated calculated destination chroma value to generate a modified digital image file.

Moreover, the presently claimed invention, as set forth in newly added independent claim 12, is directed to a method for squeezing hue values (H_{in}) of a digital image toward a preferred hue value (H_{pref}) for the digital image. The method receives a

digital image file, the digital image file including a plurality of pixels of color image data, each pixel of color image data being defined by a hue value, a chroma value, and a lightness value; selects a hue value (H_{in}) from the digital image file; selects a preferred hue value (H_{pref}); calculates a hue change value ($\Delta H = H_{in} - H_{pref}$); calculates a chroma weight value (C_{WEIGHT}), a hue weight value (H_{weight}), and a lightness weight value (L_{weight}); calculates a hue adjustment value ($H_{Adjust} = \Delta H * (H_{weight} * C_{weight} * L_{weight})$); calculates a destination hue value ($H_{out} = H_{in} - H_{Adjust}$); repeats, for each hue value in the digital image file, the selecting of the hue value from the digital image file, the calculating of the hue change value, the calculating of the hue adjustment value, and calculating of the destination hue value; and replaces each hue value in the digital image file the associated calculated destination hue value to generate a modified digital image file.

Furthermore, the presently claimed invention, as set forth in newly added independent claim 19, is directed to a method for squeezing first colorspace values ($CS1_{in}$) of a digital image toward a first colorspace preferred value ($CS1_{pref}$) for the digital image. The method receives a digital image file, the digital image file including a plurality of pixels of color image data, each pixel of color image data being defined by a colorspace, the colorspace having a first colorspace value ($CS1$), a second colorspace value ($CS2$), and a third colorspace value ($CS3$); selects a first colorspace value ($CS1_{in}$) from the digital image file; selects a first preferred colorspace value ($CS1_{pref}$); calculates a first colorspace change value ($\Delta CS1 = CS1_{in} - CS1_{pref}$); calculates a first colorspace weight value ($CS1_{WEIGHT}$), a second colorspace weight value ($CS2_{weight}$), and a third colorspace weight value ($CS3_{weight}$); calculates a first colorspace adjustment value ($CS1_{Adjust} = \Delta CS1 * (CS1_{weight} * CS2_{weight} * CS3_{weight})$); calculates a first colorspace destination value ($CS1_{out} = CS1_{in} - CS1_{Adjust}$); repeats, for each first colorspace value in the digital image file, the selecting of the first colorspace value from the digital image file, the calculating of the first colorspace change value, the calculating of the first colorspace adjustment value, and calculating of the first colorspace destination value; and replaces each first colorspace value in the digital image file the associated calculated first colorspace destination value to generate a modified digital image file.

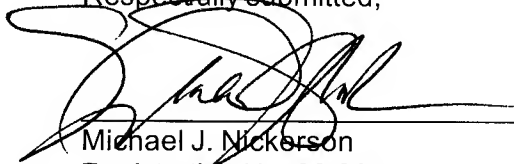
As clearly set forth above, the presently claimed invention, as set forth in the independent claims, recites a method that determines adjustment for a colorspace value of a pixel in a digital image file and replaces the colorspace values in the digital image file with a destination colorspace value that has been calculated from the colorspace value, a preferred colorspace value, and weighted colorspace values. In other words, the presently claimed invention, as set forth in the independent claims, does not merely recite the solving of a mathematical problem with no practical application, but sets forth a method that modifies certain colorspace values within a digital image file.

Accordingly, in view of the amendments and remarks set forth above, the Examiner is respectfully requested to reconsider and withdraw the rejection under 35 U.S.C. §101.

CONCLUSION

Accordingly, in view of all the reasons set forth above, the Examiner is respectfully requested to reconsider and withdraw the present objection and rejection. Also, an early indication of allowability is earnestly solicited.

Respectfully submitted,



Michael J. Nickerson
Registration No. 33,265
Basch & Nickerson LLP
1777 Penfield Road
Penfield, New York 14526
Telephone: (585) 899-3970

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